

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension or Revocation of the)
Certification and License to Conduct)
Gambling Activities of:)
Stanley I. Ruff)
Pacific, Washington,)
Class III Employee/Licensee.)

NO. CR 2011-00524

AMENDED
NOTICE OF ADMINISTRATIVE
CHARGES AND OPPORTUNITY
FOR AN ADJUDICATIVE
PROCEEDING

*(Amendments appear in italics and
strikeouts)*

I.

The Washington State Gambling Commission issued Stanley I. Ruff certification¹ number 69-14029, authorizing Class III Employee activity with the Muckleshoot Tribe. Mr. Ruff also holds license number 68-05790.

The license and certification expire on March 23, 2012, and were issued subject to the licensee/ Class III Employee's compliance with state gambling laws and rules and the Muckleshoot Tribal/State Compact.

II.

Rick Day, Director of the Washington State Gambling Commission, charges the licensee/ Class III Employee with the following violations of the Washington State Gambling Act, 9.46 RCW, WAC Title 230, and the Muckleshoot Tribal/State Compact:

The licensee/Class III employee failed to pay court-ordered fines and fees and currently owes \$5,488.27 that has been sent to collections. Mr. Ruff currently has 10 open cases due to pending court action or failure to pay fines and fees. ~~Mr. Ruff also owes an equal amount in set-up fees and civil interest to a collection company.~~ The collection amounts remain outstanding despite having been sent a letters by a Gambling Commission Special Agent dated March 9, 2009~~10~~, and ~~March 10, 2010, stating that the agent would be recommending revocation of Mr. Ruff's license, if the amounts remained unpaid and in collections.~~ *encouraging Mr. Ruff to begin complying with his court obligations to avoid possible administrative action in the future.* Through his actions, the licensee/Class III employee has demonstrated willful disregard for complying with court orders.

¹ The Commission issues Class III Certifications to employees working at Tribal casinos. Certifications allow similar activities as Card Room Employee (CRE) licenses issued to persons working at commercial house-banked card rooms. Class III Employees may transfer their certifications to a CRE license and work at commercial card rooms by sending Commission staff a transfer form and the accompanying fee.

Based on the licensee/Class III employee's failure to pay court ordered court fines and fees, he poses a threat to the effective regulation of gaming and enhances the chance of unfair illegal practices. As a result, the licensee/Class III Employee has failed to establish by clear and convincing evidence the necessary qualifications for licensure and certification under RCW 9.46.153(1).

Therefore, under Section V(C) of the Muckleshoot Tribal/State Compact, RCW 9.46.075(1) and (8), and WAC 230-03-085(1), (3), and (8), grounds exist to suspend or revoke Stanley I. Ruff's license and certification.

Section V(C) of the Muckleshoot Tribal/State Compact

The State Gaming Agency² may revoke, suspend or deny a State certification under the provisions of RCW 9.46.075, and rules promulgated there under, or for any reason or reasons it deems to be in the public interest. In addition, these reasons shall include, but shall not be limited to when a holder of certification:

(The following subsection applies.)

(1) Is determined to be a person whose prior activities, criminal record, if any, or reputation, habits and associations pose a threat to the effective regulation of gaming or create or enhance the chances of unfair or illegal practices, methods and activities in the conduct of the gaming activities permitted in this Chapter; or the person has violated, failed or refused to comply with the or create or enhance the chances provisions, requirements, conditions, limitations or duties imposed by any provision of a Tribal-State Compact.

RCW 9.46.075 Denying, suspending, or revoking an application, license or permit

The commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein:

(The following subsections apply.)

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

(8) Fails to prove, by clear and convincing evidence, that he is qualified in accordance with the provisions of this chapter.

WAC 230-03-085 Denying, suspending, or revoking an application, license or permit

We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

(The following subsections apply.)

² Washington State Gambling Commission, as referred to in the Muckleshoot Tribal/State Compact, Section V.C. (1).

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.

(8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by: (a) Prior activities; or (b) Criminal record; or (c) Reputation; or (d) Habits; or (e) Associations.

RCW 9.46.153(1) Applicants and licensees-Responsibilities and duties

(The following subsection applies.)

It shall be the affirmative responsibility of each applicant and licensee to establish by clear and convincing evidence the necessary qualifications for licensure of each person required to be qualified under this chapter, as well as the qualifications of the facility in which the licensed activity will be conducted.

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Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, WAC Title 230 and the Muckleshoot Tribal/State Compact.

In order to have a hearing or discuss settlement options, the enclosed request for hearing must be completed and returned to the Gambling Commission **within 23 days** from the date of the mailing of this notice.

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)



RICK DAY, DIRECTOR

NOTARY PUBLIC in and for the State of

My commission expires on 6/16/2017

I hereby certify that I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy thereof, properly addressed with postage prepaid, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 1 day of June, 2011

A circular notary seal for Michelle M. Pardee, a Notary Public in the State of Washington. The seal features her name at the top, the words "NOTARY PUBLIC" in the center, and the expiration date "JUNE 16, 2013" and "STATE OF WASHINGTON" at the bottom. The entire seal is enclosed in a decorative border of small dots.